

SAFETEA-LU 6002 COORDINATION PLAN Version 2

For Draft Environmental Impact Statement (EIS)

USH 41
Memorial Drive to CTH M (Lineville Road)
Brown County, WI
WisDOT Project I.D. 1133-10-01



U.S. Department of Transportation
Federal Highway Administration



Wisconsin Department of Transportation

February 2010

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Revision History of Coordination Plan

This section of the Coordination Plan is reserved for documenting any substantive changes that might occur during the EIS process (such as schedule revisions), and how the changes were communicated to cooperating/participating agencies and the public.

Version	Date	Document Name	Revision description and why it was needed
Version 2	02/15/10	SAFETEA-LU 6002 COORDINATION PLAN Version 2	Comments received from USACE and WDNR regarding draft Coordination Plan.

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Section 1: Introduction

1.1 Purpose of Coordination Plan

Section 6002 of the *Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users* (SAFETEA-LU 6002) requires lead agencies for proposed federally funded transportation projects to establish a plan for coordinating public and agency participation during the environmental review process. SAFETEA-LU 6002 applies to projects for which an Environmental Impact Statement (EIS) is being prepared and is not optional for such projects. SAFETEA-LU 6002 may be applied to projects being advanced through Environmental Assessments (EAs) or Categorical Exclusions (CEs) at the discretion of the Project's lead agencies.

The purposes of the SAFETEA-LU 6002 coordination plan are to facilitate and document the lead agencies' structured interaction with the public and other agencies and to inform the public and other agencies of how the coordination plan will be accomplished. The coordination plan is meant to promote an efficient and streamlined process and good project management through coordination, scheduling, and early resolution of issues. The coordination plan should be developed early in the environmental review process after project initiation and should outline the points for review and comment by the participating and cooperating agencies, as well as by the public.

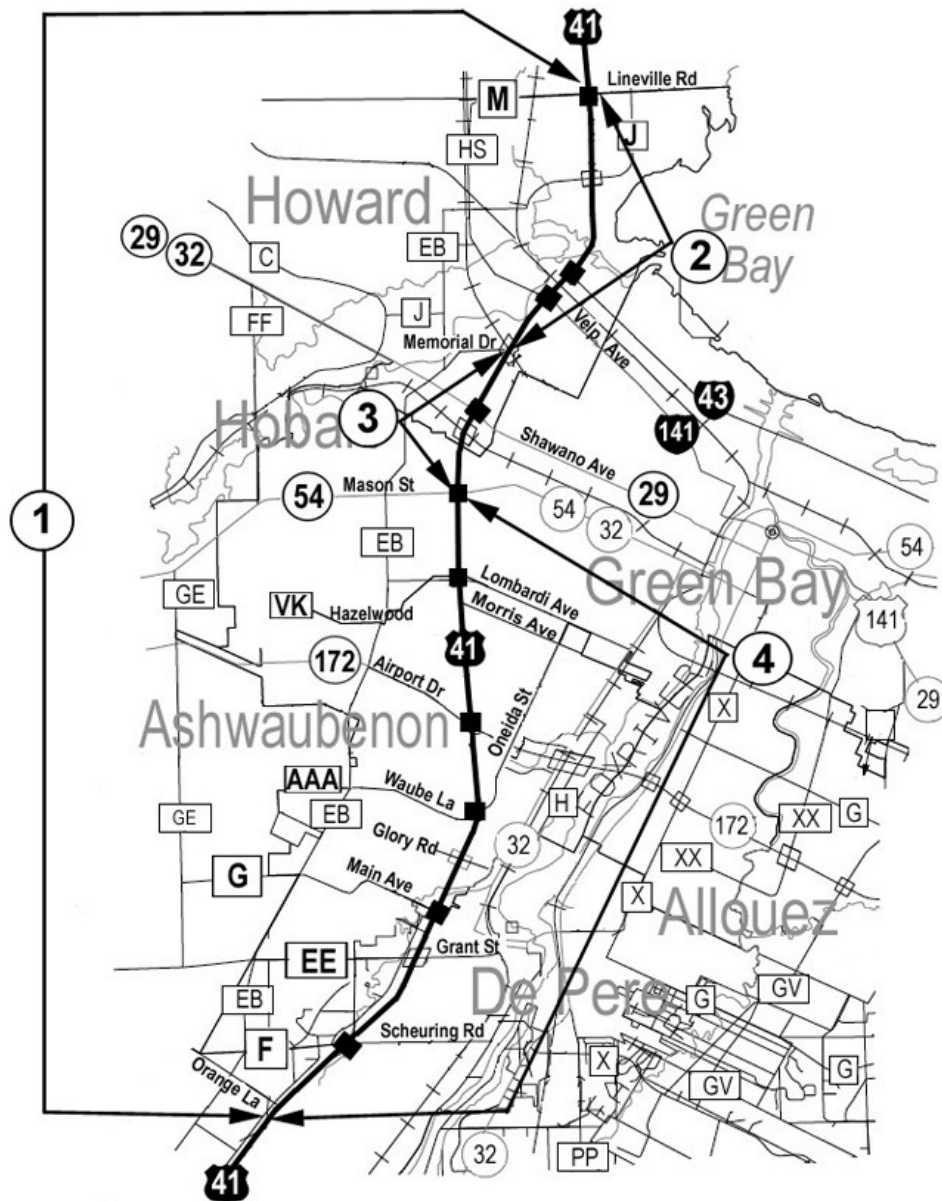
This coordination plan will be shared with the Federal, State and Local Agencies, Local Units of Government and American Indian Tribes who have been identified and have expressed an interest in the proposed project. Copies of the Draft Coordination Plan will be sent to the interested parties for review and comment, and follow-up as deemed appropriate to resolve any issues raised. A copy of the Final Coordination Plan and any significant changes in the plan will also be sent to them. The Draft and Final Coordination Plan will be made available to the public for review and comment through the project website, at a public information meeting, or by request.

1.2 Project Background

The Federal Highway Administration (FHWA), in cooperation with the Wisconsin Department of Transportation (WisDOT), will prepare an Environmental Impact Statement for transportation improvements on USH 41 in Brown County, Wisconsin. The project is being proposed to safely accommodate local and regional traffic and preserve the traffic carrying capacity of USH 41.

The project was originally addressed in 2003 in an EA/FONSI (WisDOT Project ID 1133-03-01, signed on April 4, 2003) conducted as part of a planning study for a longer segment of the USH 41 corridor between Scheuring Rd (CTH F) and Lineville Rd (CTH M). An EA was also drafted in 2008 for the expansion of USH 41 between Memorial Drive and CTH M (Lineville Road), including improvements to the USH 41/Velp Avenue, STH 141 and I-43 interchanges (WisDOT Project ID 1133-10-00/01). The following map summarizes the USH 41 corridor projects conducted concurrent or prior to this EIS.

USH 41 Corridor Projects Brown County



LEGEND

- | | |
|--|--|
| <p>1 Original USH 41 Corridor Study
(Orange Lane to CTH M)
Project I.D. 1133-03-01
EA/FONSI completed in 2003</p> | <p>2 Memorial Drive to CTH M
Project I.D. 1133-10-01
New EIS</p> |
| <p>3 Mason Street to Memorial Drive
(USH 41/STH 29 Interchange)
Project I.D. 9202-07-01/02
(STH 29 - CTH J to USH 41)
Project I.D. 1133-03-02
(USH 41 - Mason to Memorial)
New EA</p> | <p>4 Orange Lane to Glory Road
Project I.D. 1133-06-00
Glory Road to Morris Avenue
Project I.D. 1133-09-00
Morris Avenue to Mason Street
Project I.D. 1133-03-02
Re-evaluations of 2003 EA/FONSI</p> |

Prior to review and submittal of the 2008 EA (WisDOT Project ID 1133-10-00/01), reconstruction of the CTH M interchange was added to the scope of the project. In addition, detailed design refinements and an updated field review to determine wetland boundaries indicated that a significant amount of wetlands would be impacted by the proposed project. Initial estimated wetland impacts done for the Draft EA were based on preliminary road alignments and available wetland mapping. Based on agency concerns that the project would require a significant wetland taking, the Federal Highway Administration (FHWA) determined that the project needed further analysis, and should be changed from an Environmental Assessment (EA) to an Environmental Impact Statement (EIS). Analysis done as part of the Draft EA, including coordination with federal, state, and local agencies, helped define the design proposals that will be included in the EIS.

Because a Draft EA has already been prepared, initial coordination with state and federal review agencies, local officials and the public has already occurred. See Section 1.3 for more information on previous coordination.

The Environmental Impact Statement (EIS) is being prepared for USH 41 in accordance with National Environmental Policy Act (NEPA) procedures. The EIS is a full disclosure document that details how the project was developed. It includes project purpose and need, alternatives considered, description of the affected environment, environmental consequences of the proposed action, and the results of coordination with agencies and the public. The EIS also demonstrates compliance with other applicable environmental laws and regulations, and is made available for review by agencies and the public. The EIS process includes a Notice of Intent (NOI) to prepare the EIS, Draft EIS, Final EIS, and Record of Decision (ROD). The proposed time frame for EIS activities is found on page 18.

A preferred alternative that includes capacity expansion was already identified through the 2008 Draft EA (WisDOT Project ID 1133-10-00/01). Other alternatives evaluated and eliminated from further consideration in the 2008 Draft EA will be discussed as part of the EIS. The CTH M Interchange alternatives have not been previously identified as part of an environmental document and will be evaluated as part of the EIS.

1.3 Previous Agency Coordination Prior to Coordination Plan

Agency coordination for a USH 41 Environmental Assessment (EA) was already underway when the decision to proceed with an EIS was made. Actions to date involving key state and federal review agencies are listed as follows:

Agency Coordination – 2003 EA/FONSI (WisDOT Project ID 1133-03-01)

September 30, 1999 – Agency Coordination letter explaining project scope and purpose, and requesting initial comments on project impacts sent to federal, state and local agencies and potentially impacted American Indian Tribes.

October 27, 1999 - USFWS provided letter with official preliminary comments concluding that no federally listed species would be impacted by the project.

June 27, 2001 - A packet containing interchange alternatives with descriptions sent to the Corps of Engineers (COE).

August 3, 2001 – Field review of project conducted with WDNR and COE.

August 31, 2001 – Section 106 submittal sent to Wisconsin State Historical Preservation Officer (SHPO).

October 4, 2001 – WDNR provided letter with official preliminary comments.

February 12, 2001 - A packet containing interchange alternatives with descriptions sent to WDNR.

March 14, 2002 - COE provided letter with official preliminary comments.

Agency Coordination – 2008 Draft EA (WisDOT Project ID 1133-10-00/01)

October 23, 2006 – Agency scoping meeting to acquaint agencies with the EA project, review potentially affected resources, review project concepts, and obtain initial feedback.

January, 2007 – Agency Coordination letter requesting initial comments on project impacts sent to federal, state and local agencies.

January 23, 2007 – Stockbridge-Munsee Tribe provided preliminary comments on project.

January 29, 2007 – Ho-Chunk Nation provided preliminary comments on project.

February 5, 2007 – Meeting with WDNR to discuss impacts to Beaver Dam and Duck Creeks.

February 14, 2007 – Sac and Fox Nation of Missouri in Kansas and Nebraska provided preliminary comments on project.

February 15, 2007 – U.S. Fish & Wildlife Service (U.S. Fish & Wildlife) provided preliminary comments on project.

February 23, 2007 – U.S. Army Corps of Engineers (USACE) provided preliminary comments on project.

February 27, 2007 – Local Officials meeting to acquaint officials with the EA project, review potentially affected resources, review project concepts, and obtain initial feedback.

November 14, 2007 – Local Officials Meeting held to discuss project prior to public meetings on 11/27 and 11/28

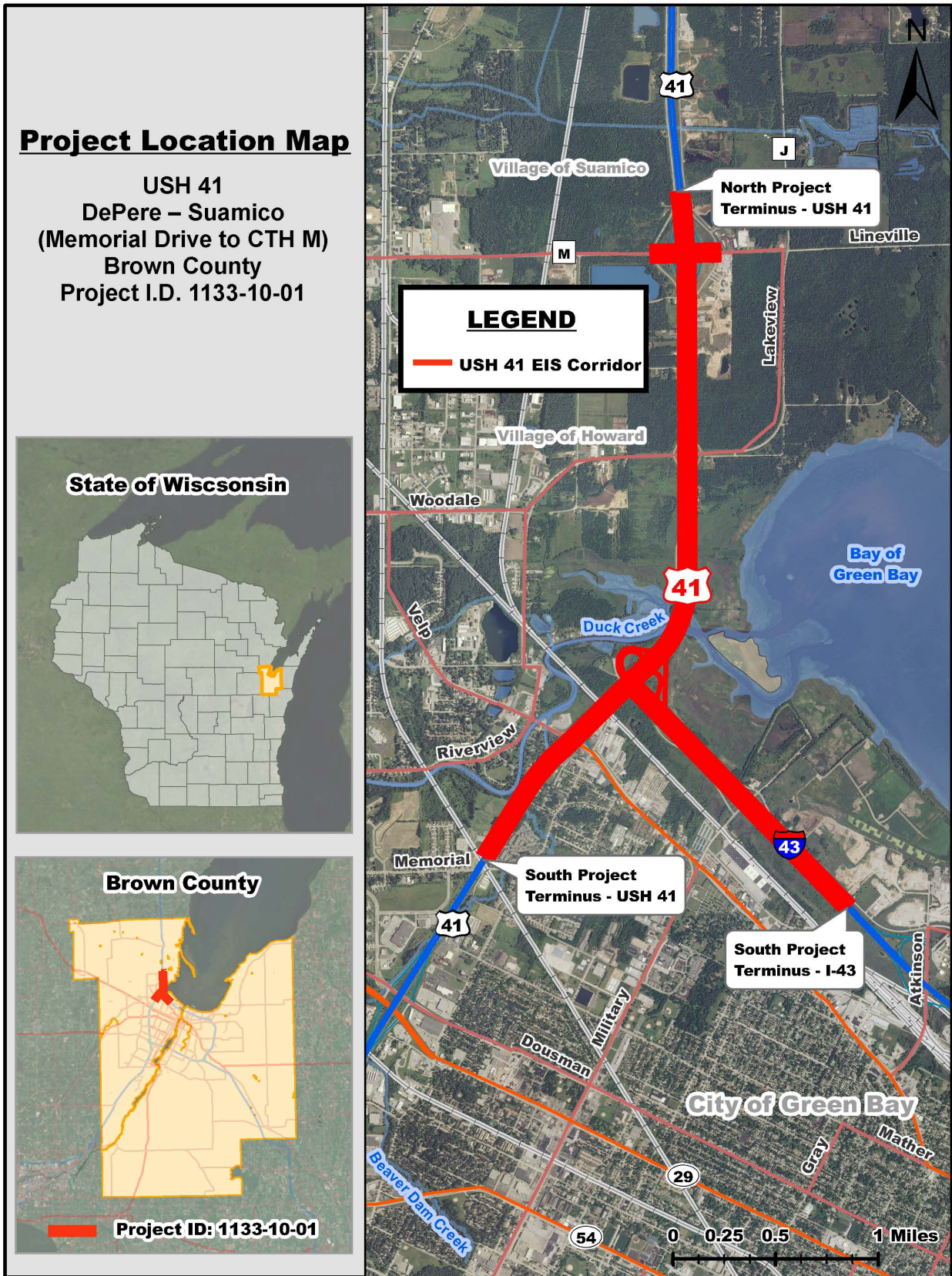
January 11, 2008 – The Village of Howard provided preliminary comments on project.

January 22, 2008 – Meeting with WDNR to familiarize new WDNR liaison with project scope.

March 7, 2008 – Wisconsin Department of Natural Resources (WDNR) provided preliminary comments on project.

May 29, 2008 – Agency coordination meeting addressing USH 41 Brown County projects that included representatives from FHWA, COE, WDNR, and EPA.

1.4 Project Location Map



Section 2: Lead/Cooperating/Participating Agencies

2.1 Agency Definitions and Roles

The standard responsibilities for each Lead, Cooperating and Participating Agency invited to participate in the environmental review process for this project are as follows:

Lead Agency: USDOT-Federal Highway Administration (FHWA) is the Federal Lead Agency and the Wisconsin Department of Transportation (WisDOT) is the State Lead Agency for this project. As "Joint Lead Agencies" their responsibilities include managing the environmental review and documentation process; preparing the EIS, and providing opportunities for public and participating and cooperating agency involvement.

As the Federal Lead Agency, FHWA will invite other affected or interested federal agencies and Native American Tribes to participate in the project's environmental review process. As the State Lead Agency, WisDOT will invite other affected or interested state and local agencies to participate in the process. WisDOT is responsible for investigating project alternatives, implementing the environmental review process and preparing the environmental document. FHWA must oversee the environmental review process and concur that the process, as implemented by WisDOT, satisfies applicable federal laws and guidance.

Cooperating Agency: Cooperating agencies are generally federal agencies, other than the federal lead agency, that have jurisdiction by law (permitting or land transfer authority) or special expertise with respect to any environmental impact involved in a proposed project or practicable project alternative. By agreement with the lead agencies, state or local agencies with similar qualifications as the federal agencies, or American Indian Tribes (when projects affect lands of tribal interest) may also become cooperating agencies. The US Army Corps of Engineers is a cooperating agency for this USH 41 study.

Participating Agencies: Participating agencies include federal, state or local agencies who may have interest in the project. These agencies participate in the National Environment Protection Agency (NEPA) process, identify issues of concern regarding the project's potential impacts, and provide meaningful and timely input on unresolved issues. They also provide comments on purpose and need, methodologies, and range of alternatives.

2.2 DOT-DNR Cooperative Agreement

Wisconsin Statutes establish an alternative process for the Wisconsin Department of Transportation and the Wisconsin Department of Natural Resources to interact on State transportation projects. State transportation projects are coordinated with and reviewed by Wisconsin DNR through interdepartmental liaison procedures known as the DOT-DNR Cooperative Agreement. This process engages both agencies in progressive discussions and reviews throughout the transportation design process, and culminates in a "concurrence letter" from DNR at the conclusion of final design activities. WisDOT will not commence construction activities until DNR concurrence is received.

Nothing in this Coordination Plan, or in the SAFETEA-LU coordination process, is designed or intended to replace or supplant the steps, activities or expectations expressed in the DOT-DNR Cooperative Agreement, nor does participation in this environmental review process in any way affect DNR's need or ability to perform review and provide concurrence during final design activities.

2.3 Agency Roles and Responsibilities

The intent of coordination with federal, state, and local review agencies is to cooperatively identify and resolve issues that could delay the environmental process or that could result in denial of any approvals required to implement the proposed project. The agencies listed in the following table have been identified as preliminary affected agencies based on the natural, cultural, and socioeconomic resources in the project area and agency jurisdiction and expertise.

Those agencies noted in the table (and possibly others yet to be identified) have been invited by FHWA and WisDOT to be cooperating or participating agencies for the USH 41 Study. Agency responses to this invitation are indicated in Section 2.4.

Agency Name	Role	Notes, Responsibilities, Further Coordination
Federal Agencies		
Federal Highway Administration (FHWA)	Federal Lead Agency	Manage 6002 process, prepare EIS, provide opportunity for public and cooperating/participating agency involvement
U.S. Army Corps of Engineers (USACOE)	Cooperating Agency	Clean Water Act Section 404 permit jurisdiction. Provide comments on purpose and need, range of alternatives, selected alternative, impact methodologies and mitigation measures.
U.S. Fish and Wildlife Service (US Fish & Wildlife)	Participating Agency	Endangered Species Act, Fish & Wildlife Coordination Act jurisdiction. Provide comments on purpose and need, range of alternatives, selected alternative, impact methodologies and mitigation measures.
U.S. Environmental Protection Agency (USEPA)	Participating Agency	NEPA and Clean Water Act jurisdiction. Provide comments on purpose and need, range of alternatives, selected alternative, impact methodologies and mitigation measures.
U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS)	Participating Agency	Farmland Protection Policy Act jurisdiction. Provide comments on farmland impact rating and Conservation Reserve program (CRP).
Bureau of Indian Affairs	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
State Agencies		
Wisconsin Department of Transportation (WisDOT)	State Lead Agency	Manage 6002 process, prepare EIS, provide opportunity for public and cooperating/participating agency involvement
Wisconsin Department of Natural Resources (DNR)	Cooperating Agency	Clean Water Act and WisDOT/DNR Cooperative Agreement authority. Provide comments on purpose and need, range of alternatives, selected alternative, impact methodologies and mitigation measures.
State Historic Preservation Office (SHPO)	Participating Agency	National Historic Preservation Act Section 106 jurisdiction. Review and approve cultural resource investigation reports/materials.
Wisconsin Coastal Zone Management Program	Participating Agency	State office for the Federal Coastal Zone Program. The USH 41 project is located in a coastal zone.
Sovereign Interests		

Agency Name	Role	Notes, Responsibilities, Further Coordination
Bad River Band of Lake Superior Chippewa Indians of WI	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
Forest County Potawatomi Community of WI	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
Ho-Chunk Nation	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
Iowa Tribe of Oklahoma	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
Lac Courte Oreilles Band of Lake Superior Chippewa Indians of WI	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
Lac du Flambeau Band of Lake Superior Chippewa Indians of WI	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
Lac Vieux Desert Band of Lake Superior Chippewa Indians	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
Menominee Indian Tribe of WI	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
Oneida Nation	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
Prairie Band Potawatomi Nation	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
Red Cliff Band of Lake Superior Chippewa Indians of WI	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
Sac & Fox Nation of Mississippi in Iowa	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
Sac & Fox Nation of Missouri in Kansas and Nebraska	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
Sac & Fox Nation of Oklahoma	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
St. Croix Chippewa Indians of WI		
Sokaogon Chippewa Community Mole Lake Band	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
Great Lakes Intertribal Council	Participating Agency	National Historic Preservation Act Section 106. Provide comments on cultural resource aspects.
Local Agencies/Other Interests		
Brown County	Participating Agency	Local government stakeholder. Provide comments on purpose and need, range of alternatives, selected alternative, impact methodologies and mitigation measures.
Bay-Lake Regional Planning Commission (Brown County)	Participating Agency	Project area stakeholder. Provide comments on purpose and need, range of alternatives, selected alternative, impact methodologies and mitigation measures.
Green Bay Metropolitan Planning Organization	Participating Agency	Project area stakeholder. Provide comments on purpose and need, range of alternatives, selected alternative, impact methodologies and mitigation measures.

Agency Name	Role	Notes, Responsibilities, Further Coordination
City of Green Bay	Participating Agency	Local government stakeholder. Provide comments on purpose and need, range of alternatives, selected alternative, impact methodologies and mitigation measures.
Village of Howard	Participating Agency	Local government stakeholder. Provide comments on purpose and need, range of alternatives, selected alternative, impact methodologies and mitigation measures.
Village of Suamico	Participating Agency	Local government stakeholder. Provide comments on purpose and need, range of alternatives, selected alternative, impact methodologies and mitigation measures.

2.4 Agency Contact Information

Agency Name	Contact Person	Date Invitation Issued	Date of response	Date of Follow-up	Agency Participating?
Federal Agencies					
Federal Highway Administration (FHWA)	Dave Platz (608) 829-7509 dave.platz@dot.gov				
U.S. Army Corps of Engineers (USACE)	St. Paul District (Linda Kurtz) (2 copies) (920) 448-2824 Linda.M.Kurtz@usace.army.mil	09/16/09	10/30/09		Cooperating
U.S. Fish and Wildlife Service (US Fish & Wildlife)	Louise Clemency (920) 866-1717 louise_clemency@fws.gov	09/16/09	10/08/09		Participating
U.S. Environmental Protection Agency (USEPA)	Ken Westlake (312) 886-2910 westlake.kenneth@epa.gov	09/16/09	11/03/09		Participating
Bureau of Indian Affairs	Richard Berg (612) 373-1000	09/16/09			
State Agencies					
Wisconsin Department of Transportation (WisDOT)	Paul Vraney (920) 492-5999 Paul.vraney@dot.wi.us Colleen Harris (920) 492-5678 Colleen.harris@dot.wi.gov				
Wisconsin Department of Natural Resources (DNR)	Jim Doperalski (920) 662-5119 james.doperalski@wisconsin.gov	09/16/09	10/21/09		Cooperating
State Historic Preservation Office (SHPO)	Alecia Goehring (608) 264-6515 alecia.goehring@wisconsinhistory.org	09/16/09			
Wisconsin Coastal Zone Management Program	Michael Friis (608) 267-7982 michael.friis@wisconsin.gov	01/19/10			
Sovereign Interests					
Bad River Band of Lake Superior Chippewa Indians of WI	Edith Leoso PO Box 39 Odanah, WI 54861 thpo@badriver.com	09/16/09			

Agency Name	Contact Person	Date Invitation Issued	Date of response	Date of Follow-up	Agency Participating?
Forest County Potawatomi Community of WI	Mike Alloway PO Box 340 Crandon, WI 54520 times@newnorth.net	09/16/09			
Ho-Chunk Nation	Bill Quackenbush PO Box 667 Black River Falls, WI 54615 bill.quackenbush@ho-chunk.com	09/16/09			
Iowa Tribe of Oklahoma	Joyce Miller R.R.1, Box 721 Perkins, OK 74059	09/16/09			
Lac Courte Oreilles Band of Lake Superior Chippewa Indians of WI	Jerry Smith 13394 West Trepania Road Hayward, WI 54843 soctomah@ainop.com	09/16/09			
Lac du Flambeau Band of Lake Superior Chippewa Indians of WI	Kelly Jackson PO Box 67 Lac du Flambeau, WI 54538 ldfthpo@nnex.net	09/16/09			
Lac Vieux Desert Band of Lake Superior Chippewa Indians	giiwegiizhigookway Martin PO Box 249 Watersmeet, WI 49969 gmartin@lvdtribal.com	09/16/09			
Menominee Indian Tribe of WI	David Grignon PO Box 910 Keshena, WI 54135 dgrignon@mitw.org	09/16/09			
Oneida Nation	Corina Burke PO Box 365 Oneida, WI 54155-4380 cburke@oneidanation.org	09/16/09			
Prairie Band Potawatomi Nation	Steve Ortiz 16281 Q Road Mayetta, KS 66509 steveo@pbpnation.org	09/16/09			
Red Cliff Band of Lake Superior Chippewa Indians of WI	Larry Balber 88385 Pike Road Bayfield, WI 54814 lbalber@redcliff-nsn.gov	09/16/09			
Sac & Fox Nation of Mississippi in Iowa	Jonathan Buffalo 349 Meskwaki Road Tama, IA 52339-9626 jlbuffalo@meskwaki.org	09/16/09			

Agency Name	Contact Person	Date Invitation Issued	Date of response	Date of Follow-up	Agency Participating?
Sac & Fox Nation of Missouri in Kansas and Nebraska	Jane Nioce 305 North Main Reserve, KS 66434	09/16/09			
Sac & Fox Nation of Oklahoma	Sandra Massey Route 2, Box 246 Stroud, OK 74079 wahnesh@yahoo.com	09/16/09			
St. Croix Chippewa Indians of WI	Wanda McFaggen 24663 Angeline Avenue Webster, WI 54893 thpo@stcroixtribalcenter.com	09/16/09			
Sokaogon Chippewa Community Mole Lake Band	Attn: Cultural Preservation Director 3051 Sand Lake Road Crandon, WI 54502 hr@sokaogonchippewa.com	09/16/09			
Great Lakes Intertribal Council	Principal Administrator 2932 Highway 47 N - Lac du Flambeau, WI 54538 glitc@glitc.org	09/16/09			
Local Agencies/Other Interests					
Brown County	Cole Runge (920) 448-6480 Runge_cm@co.brown.wi.us	09/16/09	10/20/09		Participating See Green Bay MPO below
Bay-Lake Regional Planning Commission	Mark Walter (920) 448-2820 mwalter@baylakerpc.org	09/16/09	10/15/09		Participating
Green Bay Metropolitan Planning Organization	Cole Runge (920) 448-6480 Runge_cm@co.brown.wi.us	09/16/09	10/20/09		Participating
City of Green Bay	Mayor James Schmitt (920) 448-3005 jimsc@ci.green-bay.wi.us	09/16/09			
Village of Howard	Joshua Smith, Village Administrator (920) 430-4640 jsmith@villageofhoward.com	09/16/09			
Village of Suamico	Karen Matze, Village Administrator (920) 434-8410 karen@suamico.org	09/16/09	10/01/09		Declined offer to participate

Section 3: Concurrence and Coordination Points and Agency Responsibilities

3.1 Agency Expectations

The expectations for Lead Agencies are:

- Take such action as necessary and proper to facilitate the expedited review of the environmental review process.
- Ensure that documents required under NEPA are completed in accordance with SAFETEA-LU and applicable Federal and State law.
- Identify and involve Cooperating and Participating Agencies.
- Provide, as early as practicable, but no later than the appropriate project milestone, project information on purpose and need, environmental resources, alternatives and proposed methodologies.
- Develop and provide the Coordination Plan to Participating and Cooperating Agencies.
- Develop a project purpose and need, the range of alternatives to be considered, methodologies to investigate and analyze potential impacts, the level of detail for the analysis of alternatives, and other procedural matters.
- Consult with and involve tribal governments in compliance with NEPA and Section 106 of the National Historic Preservation Act (NHPA).
- Provide oversight in managing the environmental review process, including taking such action as is necessary and proper to expedite review, and resolving issues.

The expectations for Cooperating Agencies are:

- Assist the Lead Agencies in identifying environmental or cultural resources of concern.
- Identify as early as practicable any issue of concern regarding the project's environmental impacts.
- Identify as early as practicable any issues that could substantially delay or prevent the granting of a permit or other approval needed for the project.
- Share information that may be useful to the Federal Lead Agency (FHWA), State Lead Agency (WisDOT), Cooperating and Participating Agencies.
- Participate in meetings and field reviews.
- Assume, at the Federal lead Agency (FHWA) request, responsibility for preparing and/or reviewing analysis over which that Cooperating Agency has special expertise, depending on Cooperating Agency's resource availability.
- Make support staff available at the request of the Federal Lead Agency (FHWA).
- Generally use Cooperating Agency's own resources and funds.
- Participate as needed in the Issues Resolution Process described in Section 3.3.
- Provide comments on the Coordination Plan, Impact Analysis Methodology document, Draft EIS purpose and need, project alternatives, potential project impacts and selected alternative in a timely manner, and as agreed to and reflected in Section 3.3 of this Plan.
- Review and comment on preliminary versions of Draft EIS and Final EIS.

The expectations for participating Agencies are:

- Identify as early as practicable any issue of concern regarding the project's environmental or socioeconomic impacts.
- Identify as early as practicable any issues that could substantially delay or prevent the granting of a permit, delay completion of the environmental review process, or result in denial of approval needed for the project.
- Provide comments on the Coordination Plan, Impact Analysis Methodology document, Draft EIS purpose and need, project alternatives, potential project impacts and selected alternative in a timely manner, and as agreed to and reflected in Section 3.3 of this Plan.
- (For non-federal agencies) respond affirmatively in writing to the letter of invitation to be a participating agency within 30 days of receipt thereof.
- (For federal agencies) respond in writing to the letter of invitation to be a participating agency if you wish to decline the invitation and opt out of the role/process within 30 days of the receipt thereof.
- Provide input on the Coordination Plan and schedule.
- Participate as needed in Issues Resolution Process described in Section 3.3.
- Specific coordination with the State Historic Preservation Officer (SHPO) will be in accordance with the WisDOT/SHPO Memorandum of Agreement (MOA).

3.2 Concurrence and Coordination Points, Information Requirements, and Responsibilities

To *facilitate* public and *agency* involvement in the environmental review process for the *USH 41* project, a number of coordination and several concurrence points *have* been established. Coordination points ("check-in" points for a set of activities) occur *when* project review activities or milestones will eventually result in important decisions *affecting* the environmental *review* process and its *outcomes*. Concurrence points are occasions in the environmental review process when the lead agencies will request formal written concurrence from cooperating, and some participating agencies, agreeing that it is appropriate to finalize certain decisions or outputs, and move forward.

Coordination points will involve exchanges of information and opinions between the lead agencies, and participating and cooperating agencies and the public. This information exchange will often be accomplished by mail or email, **but** may also occur during face-to-face or public information meetings. Coordination points with agencies are typically established for the following activities:

- Project scoping activities
- Development of purpose and need statement
- Identification of the range of alternatives to be studied
- Collaboration on methodologies for analysis of alternatives
- Completion of the draft environmental impact statement (DEIS)
- Identification of the preferred alternative and the level of design detail
- Mitigation strategies
- Completion of the final environmental impact statement (FEIS)
- Completion of the record of decision (ROD) finalizing selection of an alternative

Concurrence is a written determination by an agency (cooperating or participating) that *the* information to-date is adequate to agree that the project can be advanced to the next stage of project development. Agencies agree not to revisit the previous process *steps* unless conditions *change*. Concurrence by an agency at a concurrence point does not imply that *the* project has been approved by that agency, nor that it has released its obligation to determine whether the fully developed project

meets statutory review criteria. There are three formal concurrence points in the process. The formal concurrence points occur at *the* following junctures:

- Final Purpose and Need statement for the project
- Alternatives to be carried forward for detailed study
- Selection of the alternative for addressing the need(s) of the project

The Project Schedule in Section 4 lists the Coordination Plan's key concurrence and coordination points including which agency is responsible for activities during specific points, the information required at each point, and who is responsible for transmitting the information.

3.3 Issue Resolution Process

The Lead Agencies, Cooperating and Participating Agencies will work cooperatively to identify and resolve *issues* that could delay completion of the environmental review process or that could result in denial of any approvals required for the project under applicable laws.

Based on information received from the Lead Agencies, Cooperating and Participating Agencies shall identify, as early as practicable, any issues of concern regarding the project's potential environmental, cultural or socioeconomic impacts. Issues of concern include any issues that could substantially delay or prevent concurrence, the granting of a permit or other approval that is needed for the project.

Dispute resolution will be implemented when there is failure to reach concurrence at a concurrence point, or there is substantial disagreement at a critical decision point. The resolution process will first consist of an informal attempt to reach concurrence/agreement among Cooperating/Participating agencies. Participants would include a representative of each of the Federal agencies, and appropriate State agencies. Each agency shall make its best effort to resolve disputes. Within 30 days of an agency(ies) identifying non-concurrence at a critical decision point, a "dispute resolution" meeting of designated agency representatives would be convened.

Dispute resolution meetings will be convened at an agreed upon location and time. At this meeting, an attempt will be made to resolve the concerns of the agency(ies) through consensus. This may include providing information or detail not previously provided. If the concerns are resolved at this meeting, the process is ended and the concurrence is formalized in the agreed-to manner.

If a resolution cannot be achieved within 30 days following the dispute resolution meeting, and the lead agencies determine that all information necessary to resolve the issue has been obtained and distributed, the lead agencies shall notify the heads of all participating parties, the project sponsor, the Governor, the Committee on Environment and Public Works of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives and the Council on Environmental Quality, and shall publish such notification in the Federal Register.

The environmental review and documentation process may continue whether or not attempts to reach concurrence are successful. However, if the dispute remains unresolved, the agency(ies) in nonconcurrence retains its options to elevate its concerns through existing, formalized dispute elevation procedures at the appropriate point in the environmental review or permitting process.

Section 4: Project Schedule

The schedule for completing key coordination/decision points and agency responsibilities for the proposed action are listed in the following table.

Step No.	Milestone, Coordination or Concurrence Point	Initiating Agencies	Information Provided or Action Taken	Contacted Agencies	Information or Action Requested	Response Time Anticipated or Allowed	Estimated Date of Completion
1	Notice of Intent (NOI) to prepare EIS and information on project scope	FHWA	NOI to prepare EIS and information on project scope	Cooperating and Participating agencies through Federal Register notice	NOI to prepare EIS and information on project scope published in Federal Register	7 calendar days	NOI Published in Federal Register in 06/2009
2	Invitation letters, draft coordination plan and draft impact analysis methodology sent to potential cooperating and participating agencies	WisDOT FHWA	Letters of invitation to be cooperating and/or participating agencies Draft coordination plan and impact analysis methodology	Potentially interested cooperating and participating agencies	Written acceptance or reason for non-acceptance Agency input on draft coordination plan and draft impact analysis methodology	45 calendar days	09/2009
3	Initial Agency Scoping Meeting and Public Information Meeting (PIM) Public input on draft coordination plan, draft impact analysis methodology, purpose and need, and range of alternatives	WisDOT FHWA	Availability of draft coordination plan, draft impact analysis methodology, purpose and need, and range of alternatives through media releases, project website and public meeting	Public, local officials and other stakeholders	Provide comments on draft coordination plan, draft impact analysis methodology, purpose and need, and range of alternatives	30 calendar days	03/2010
4	Final coordination plan and final impact analysis methodology with follow up as needed	WisDOT FHWA	Final coordination plan and final impact analysis methodology	Cooperating and participating agencies	Review for acceptance or reply on issues to be resolved	30 calendar days	03/2010
5	Provide Draft Sections 1 and 2 of DEIS	WisDOT FHWA	Draft Sections 1 and 2 of DEIS	Cooperating and participating agencies	Provide comments on Draft Sections 1 and 2 of DEIS	30 calendar days	04/2010

Step No.	Milestone, Coordination or Concurrence Point	Initiating Agencies	Information Provided or Action Taken	Contacted Agencies	Information or Action Requested	Response Time Anticipated or Allowed	Estimated Date of Completion
6	Agency meeting on final purpose and need and proposed alternatives with preliminary impacts ¹ Finalize alternatives, identify WisDOT recommended alternative with anticipated impacts if deemed appropriate by FHWA and WisDOT and follow up as needed ² (Equiv. to NEPA/404 Concurrence Point 1 and 2)	WisDOT FHWA	Discuss proposed alternatives, identified resources and potential impacts. Finalize alternatives, identify WisDOT recommended alternative	Cooperating and participating agencies	Review for acceptance or reply on issues to be resolved. Provide comments on finalized alternatives and WisDOT recommended alternative.	30 calendar days (Preliminary information sent 30 days prior to meeting.)	06/2010
7	Draft EIS filed with EPA for availability notice in Federal Register	FHWA	Draft EIS	EPA filing section	Availability of Draft EIS published in Federal Register	14 calendar days	09/2010
8	Draft EIS circulated for review and comment	WisDOT FHWA	Draft EIS availability through distribution to cooperating and participating agencies, local officials and others on EIS mailing list, and through media announcements, project website and other sources	Cooperating and participating agencies, local officials, other stakeholders, and public	Review Draft EIS, provide questions or comments	45 calendar days after information is sent	09/2010
9	Public hearing on Draft EIS with follow up as needed	WisDOT FHWA	Discuss purpose and need, alternatives, recommended alternative and anticipated impacts	Public, local officials, cooperating and participating agencies	Provide comments on purpose and need, alternatives, recommended alternative and anticipated impacts	45 calendar days	11/2010

Step No.	Milestone, Coordination or Concurrence Point	Initiating Agencies	Information Provided or Action Taken	Contacted Agencies	Information or Action Requested	Response Time Anticipated or Allowed	Estimated Date of Completion
10	Agency meeting on preferred alternative with anticipated impacts and follow up as needed ³ (Equiv. to NEPA/404 Concurrence Point 3)	WisDOT FHWA	Discuss preferred alternative, anticipated impacts, proposed mitigation measures	Cooperating and participating agencies	Provide comments on preferred alternative, anticipated impacts, proposed mitigation measures	30 calendar days (Preliminary information sent 30 days prior to meeting.)	02/2011
11	Preliminary Final EIS review and follow up as needed	WisDOT FHWA	Preliminary Final EIS	Cooperating agencies	Review preliminary Final EIS, provide questions or comments	30 calendar days	04/2011
12	Final EIS adopted and filed with EPA for availability notice in Federal Register	FHWA	Final EIS	EPA filing section	Availability of Final EIS published in Federal Register	14 calendar days	05/2011
13	Final EIS circulated for review and comment	WisDOT FHWA	Final EIS availability through distribution to cooperating and participating agencies, local officials and others on EIS mailing list, and through media announcements, project website and other sources	Public, local officials, cooperating and participating agencies	Review Final EIS, provide questions or comments	30 calendar days from notice of Final EIS in Federal Register (minimum)	05/2011
14	ROD issued	FHWA	ROD availability through distribution to cooperating and participating agencies, and through local media announcements, project website and/or other sources	Cooperating and participating agencies and as deemed appropriate, local officials and the public	Acknowledge receipt of ROD	30 calendar days from notice of Final EIS in Federal Register or 45 calendar days from notice of Draft EIS in Federal Register (minimum)	07/2011
15	Statute of Limitations (SOL) notice published in Federal Register announcing final action has been taken (ROD) in project's NEPA phase	FHWA	SOL notice	Federal Register	SOL published in Federal Register announcing final action taken (ROD) in project's NEPA phase	7 calendar days for SOL notice publication; 180 calendar days to file a claim	07/2011

Step No.	Milestone, Coordination or Concurrence Point	Initiating Agencies	Information Provided or Action Taken	Contacted Agencies	Information or Action Requested	Response Time Anticipated or Allowed	Estimated Date of Completion
16	Final concurrence in project contract-level mitigation measures	WisDOT	Proposed mitigation measures for commitments made in Final EIS, ROD, final design, and/or during individual agency contacts	Coordination with cooperating and participating agencies as deemed appropriate	Provide comments and/or process approval requests on proposed environmental commitments and mitigation measures	Un-programmed (prior to 90% Plans, Specifications and Estimates (PS&E) review meetings, approximately 3-6 months in advance of proposed contract letting dates)	Prior to 90% Plans, Specifications and Estimates (PS&E) review meetings
17	Permits and Other Approvals as required for project	WisDOT	Permits and other approval requests with appropriate documentation	Cooperating and participating agencies as applicable based on jurisdiction by law or other inter-agency agreements	Permits and other project approvals as applicable	Un-programmed (prior to advertising for individual contract letting, 30 calendar days before individual contract letting dates) (minimum)	Prior to advertising for individual contract letting
18	Implementation of mitigation commitments in Final EIS and ROD	WisDOT FHWA	Mitigation commitments in Final EIS and ROD	Coordinate with cooperating and participating agencies as deemed appropriate	Provide comments and recommendations, and/or process approval requests on proposed mitigation commitments	Un-programmed (time as needed)	Ongoing until construction activities are completed

Notes:

1. This SAFETEA-LU Section 6002 coordination point is equivalent to "concurrence point 1" (purpose and need) under the Concurrent NEPA/404 Process for Transportation Projects (see below).
2. This SAFETEA-LU Section 6002 coordination point is equivalent to "concurrence point 2" (alternatives to be carried forward for detailed study) under the concurrent NEPA/404 Process.
3. This SAFETEA-LU Section 6002 coordination point is equivalent to "concurrence point 3" (selected alternative) under the concurrent NEPA/404 process.

The concurrent NEPA/404 process, also referred to as the merged NEPA/404 process, was established through a March 1994 inter-agency agreement in Federal Highway Administration Region 5 which includes Wisconsin, Minnesota, Michigan, Illinois, Indiana and Ohio. Signatory agencies include the Federal Highway Administration, U.S. Army Corps of Engineers, U.S. Environmental Protection Agency, and the U.S. Fish and Wildlife Service. The purpose of the merged process is to allow NEPA and Clean Water Section 404 permit activities to be developed concurrently. Concurrence by agencies at a particular concurrence point does not indicate agency agreement that the project must be built or that a permit will be issued. It only indicates that the information developed at a particular step in the process is adequate to advance to the next.

Section 5: Public Involvement Process

5.1 Public Involvement

Public involvement includes engaging key stakeholders, community members and the general public in the planning, design and development of proposed improvements in the USH 41 corridor. The general public involvement approach is based on the following objectives:

- Actively seek public input on the project's proposed purpose and need, alternatives, and recommended course of action
- Solicit, answer and account for public inquiries, suggestions and ideas in the decision making process
- Provide opportunities for the public to affect major decisions before they are made
- Publicize project activities through a variety of communication venues such as newsletters, news releases, and informational meetings
- Provide the public with efficient access to project information.

5.2 Public Involvement in Purpose and Need Development

Public involvement in purpose and need development was initially conducted as part of the USH 41 corridor study that concluded in 2003 with an approved EA, FONSI, and Design Study Report. The May 24, 2000 public information meeting focused on purpose and need aspects such as existing and future traffic volumes and safety concerns. A public hearing was held on August 28, 2002.

Information on purpose and need was provided at the hearing. Meeting and public hearing notices were published in area newspapers and sent to local radio and TV stations, and newsletters were sent to local officials, agencies and interest groups.

Additional opportunities for public input on purpose and need are being provided as part of the current EIS activities. Opportunities will include public information meetings during preparation of the Draft EIS and a public hearing during the Draft EIS review period.

5.3 Public Involvement in Alternatives Identification and Analysis

Public involvement in alternatives identification and analysis was initially conducted as part of the 2003 USH 41 corridor study. The September 20, 2000 public information meeting focused on preliminary design alternatives for addressing purpose and need. The August 28, 2002 public hearing also provided information on alternatives. Meeting and public hearing notices were published in area newspapers and sent to local radio and TV stations, and newsletters were sent to local officials, agencies and interest groups. In addition, meetings were held with local businesses to obtain comments and concerns about the alternatives.

Two public information meetings were held during the preliminary design phase for the Memorial Drive to CTH M project section. The March 27, 2007 meeting focused on alternative design options for the USH 41/I-43 and Velp Avenue interchanges. The November 27, 2007 meeting presented information on the entire USH 41 Brown County corridor including refinements to the interchange alternatives being considered in the Memorial Drive to County M project section. Meeting notices were published in area newspapers and sent to local radio and TV stations, and newsletters were sent to local officials, agencies and interest groups.

Additional opportunities for public input on alternatives are being provided as part of the current EIS activities. Opportunities will include public information meetings during preparation of the Draft EIS and a public hearing during the Draft EIS review period.

5.4 Public Involvement in Document Review

The EA for the 2003 USH 41 corridor study was made available to the public for review from July 22, 2002 through September 30, 2002.

The Draft and Final EIS being prepared in the current EIS phase will be made available for public review.

5.5 Additional Public Involvement Strategies

In spring, 2009, WisDOT issued a USH 41 project newsletter that provided an overview of the proposed improvements in Winnebago and Brown counties, the importance of USH 41 to the state's economy, information on community sensitive design and roundabouts. The newsletter also announced additional public outreach such as using neighborhood liaisons to provide information about the project and feedback to WisDOT.

WisDOT will continue to provide public outreach opportunities for the various USH 41 project design sections. These will include meetings upon request with local officials, affected businesses, and other interests, posting project information on the WisDOT website, and providing project information at various local forums such as county fairs.

5.6 Coordination with Local Officials

Coordination with local officials was initially conducted as part of the USH 41 corridor study that concluded in 2003 with an approved EA, FONSI, and Design Study Report. As part of the early EA activities, meeting were held with local officials to explain the project objectives and obtain information on local issues and concerns. Meetings were held with local officials prior to the May 24, 2000 and September 20, 2000 public information meetings. The recommended alternative at that time was presented to local officials in a series of meetings held in December 2001.

Coordination with local officials during the preliminary design phase included meetings on February 27, 2007 and November 14, 2007 to discuss the proposed improvements and obtain input prior to the March 27, 2007 and November 27, 2007 public information meetings. Additional meetings to discuss proposed roundabouts were held in July, August, and October 2007.

Coordination with local officials will continue during the project's EIS phase.

Section 6: Tribal Involvement and Consultation

6.1 Tribal Notifications of Proposed Project

Tribal notifications about the proposed project were initially made as part of the USH 41 corridor study that concluded in 2003 with an approved EA, FONSI, and Design Study Report. The September 30, 1999 notification letter included information about project purpose and need, alternatives being considered, the need for cultural resource investigations, and requested input on cultural resource aspects. Tribes also received notices about the May 24, 2000 and September 20, 2000 public information meetings and the August 28, 2002 public hearing.

Tribal notifications during the preliminary design phase were made through a January 22, 2007 letter explaining the purpose and scope of the proposed improvements and requesting input on cultural resource aspects. Tribes also received notices about the March 27, 2007 and November 27, 2007 public information meetings.

As part of the current EIS activities, Tribes are being provided an opportunity to become participating agencies in the USH 41 Memorial Drive to CTH M project. They will also be notified about public information meetings and the public hearing.

6.2 Tribal Consultation on Project Area of Potential Effect (APE)

As part of the original corridor study, Tribal consultation regarding the project APE was done as part of the September 30, 1999 notification letter for the 2003 corridor study. The notification letter provided information about the proposed improvements and areas requiring cultural resource investigations.

In the preliminary design phase, consultation regarding the refined APE was done in conjunction with the January 22, 2007 notification letter.

6.3 Tribal Consultation on Cultural Resources Identified

No cultural resources have been identified, therefore consultation is not required.

6.4 Tribal Consultation on Effects

No cultural resources have been identified; therefore consultation on effects is not required.

Section 7: Summary of all Project Meetings Held to Date

Following is a list of meetings held to date with agencies, local governments and the public during the USH 41 Study.

Date	Meeting	Remarks
1999	Local officials meetings	Original corridor study phase; meetings to discuss project objectives and obtain information on local issues and concerns
5/2000	Local officials meetings	Original corridor study phase; meetings to discuss proposed improvements and obtain input in preparation for 5/24/2000 public information meeting
5/24/2000	Public information meeting	Original corridor study phase
9/2000	Local officials meetings	Original corridor study phase; meetings to discuss proposed improvements and obtain input in preparation for 9/20/2000 public information meeting
9/20/2000	Public information meeting	Original corridor study phase
12/10/2001 through 12/18/2001	Village of Ashwaubenon, Village of Howard, City of Green Bay, City of De Pere and Town of Lawrence	Original corridor study phase; meetings to discuss WisDOT's recommended alternative
8/28/2002	Public hearing	Original corridor study phase
2/27/2007	Brown County, Village of Howard, City of Green Bay and Village of Suamico	Preliminary design phase; meeting to discuss proposed improvements and obtain input in preparation for 3/27/2007 public information meeting
7/27/07	Village of Howard	Preliminary design phase; meeting to discuss roundabouts
8/1/2007	Village of Howard	Preliminary design phase; meeting to discuss roundabouts
8/9/2007	Brown County Highway and Planning Departments	Preliminary design phase; meeting to discuss roundabouts
8/29/2007	City of Green Bay Public Works Department	Preliminary design phase; meeting to discuss roundabouts
10/4/2007	Village of Howard	Preliminary design phase; meeting to discuss roundabouts
11/14/2007	Brown County, Village of Howard, City of Green Bay and Village of Suamico	Preliminary design phase; meeting to discuss proposed improvements and obtain input in preparation for 11/27/2007 public information meeting